

REMARKS

After entry of the present Amendment, claims 5-17 and 18-31 remain pending in the application, with claims 5, 14, and 29 in independent form. Claims 1-4 have been cancelled. Claims 5-17 have been amended and claims 18-31 have been added. No new matter has been added through the present Amendment.

In particular, independent claim 5 has been amended to specify the steps of a method for producing a stabilized hydroalkoxysilane. Support for the amendment to claim 5 can be found in at least paragraph [0035] and the Examples. Claims 6-13 have been amended to clarify grammar based upon the amendment to claim 5. That is, claims 6-13 have been amended merely to change “said” to “the”. Independent claim 14 has been amended to specify a stabilized hydroalkoxysilane comprising a hydroalkoxysilane and a carboxylate, wherein the stabilized hydroalkoxysilane is stored and transported in a sealed container. Support for the amendment to claim 14 can be found in at least paragraphs [0028] and [0035]. Claims 15-17 have been amended to specify a stabilized hydroalkoxysilane. Support for the amendments to claims 15-17 can be found in at least paragraphs [0022]-[0025] and [0028]. Thus, no new matter has been added through the amendments to claims 5-17.

Claim 18 has been added to further define the step of combining the carboxylate with the hydroalkoxysilane. Support for claim 18 can be found in at least paragraph [0035]. Claim 19 has been added to define the method as further comprising the step of mixing the stabilized hydroalkoxysilane. Support for claim 19 can be found in paragraph [0035]. Claim 20 has been added to define the method as further comprising the steps of storing and transporting the sealed

container. Support for claim 20 can be found in at least paragraphs [0007] and [00027]. Thus, no new matter has been added through the addition of claims 18-20.

Claims 21 and 25 have been added to specify that the stabilized hydroalkoxysilane is stored and transported in the sealed container without a loss of purity and chemical changes. Claims 22 and 26 have been added to specify that the stabilized hydroalkoxysilane is stored and transported in the sealed container without a pressure rise in the sealed container. Claims 23 and 27 have been added to specify that the stabilized hydroalkoxysilane is stored and transported in the sealed container without a loss of purity, chemical changes, and a pressure rise in the sealed container. Support for claims 21-23 and 25-27 can be found in at least paragraphs [0026]-[0028] and [0035]. Claims 24 and 28 have been added to specify that the carboxylate can be separated from the hydroalkoxysilane. Support for claims 24 and 28 can be found in at least paragraph [0035]. Thus, no new matter has been added through the addition of claims 21-28.

Claim 29 has been added to specify a method for producing a stabilized hydroalkoxysilane comprising the steps of providing a hydroalkoxysilane, providing a carboxylate, adding the carboxylate to the hydroalkoxysilane in a container to form the stabilized hydroalkoxysilane, mixing the stabilized hydroalkoxysilane, and sealing the container to form a sealed container containing the stabilized hydroalkoxysilane. Support for claim 29 can be found in paragraph [0035]. Claim 30 has been added to further define the step of mixing. Support for claim 30 can also be found in paragraph [0035]. Claim 31 has been added to define the method as further comprising the steps of storing and transporting the sealed container.

Support for claim 31 can be found in at least paragraphs [0007] and [00027]. Thus, no new matter has been added through the addition of claims 29-31.

Claims 1-4 stand rejected under 35 U.S.C. §102(b) as being anticipated by Arnold (United States Patent No. 4,113,751). As set forth above, claims 1-4 have been cancelled. As such, Applicants respectfully suggest that the Examiner's rejection of claims 1-4 as anticipated by Arnold is moot.

Claims 1-17 stand rejected under 35 U.S.C. §102(b) as being anticipated by Westmeyer et al. (United States Patent No. 6,365,696). Since claims 1-4 have been cancelled, the Applicants also respectfully suggest that the Examiner's rejection of claims 1-4 as anticipated by Westmeyer et al. is moot.

With respect to claims 5-13, the Examiner has relied upon Westmeyer et al. to disclose a "hydroalkoxysilane that coexist[s] with multiple carboxylates." Notably, the Examiner recognizes that the prior art fails to clearly state the hydroalkoxysilane is stabilized by the carboxylates. As set forth above, independent claim 5 has been amended and new independent claim 29 has been added to clarify the steps of a method for producing a stabilized hydroalkoxysilane. As described in paragraph [0035] of the present application publication, such steps include combining the carboxylate with the hydroalkoxysilane. More specifically, the stabilized hydroalkoxysilane of the present invention "can be easily produced by adding the carboxylate to the hydroalkoxysilane and then... stirring, mixing, or shaking," in a mixer or shaker.

Further, although Westmeyer et al. teaches coexistence of a hydroalkoxysilane and a carboxylate, Westmeyer et al. fails to disclose the specific method steps of currently amended claim 5 and new claim 29. In particular, Westmeyer et al. fails to teach sealing a container to form a sealed container containing the stabilized hydroalkoxysilane. That is, as set forth in paragraph [0035] of the present application publication, “[i]n order to prevent vaporization of the hydroalkoxysilane and contact with moisture of air, it is recommended to store the stabilized hydroalkoxysilane in a sealed container. Coexistence of the hydroalkoxysilane with the [carboxylate] protects the hydroalkoxysilane from the loss of purity and chemical changes during storage and transportation, and prevents a pressure rise in a storage container.” Thus, the Applicants respectfully submit that claim 5, as well as claims 6-13 and 18-24 that depend from claim 5, are now in condition for allowance. Similarly, the Applicants respectfully request that new claim 29, as well as claims 30-31 that depend from claim 29, are in condition for allowance. Such allowance is respectfully requested.

With respect to claims 14-17, the Examiner has relied upon Westmeyer et al. to inherently teach a stabilized composition. The Examiner notes that “the word stabilized is assumed to exist in the prior art absent a statement to the contrary.” As set forth above, independent claim 14 has been amended to specifically define a stabilized hydroalkoxysilane comprising a hydroalkoxysilane and a carboxylate, wherein the stabilized hydroalkoxysilane is stored and transported in a sealed container.

Although the Examiner contends Westmeyer et al. discloses a composition that is inherently stabilized comprising a hydroalkoxysilane and a carboxylate, Westmeyer et al. fails

to teach the storage and transportation of amended claim 14. That is, as specified in paragraph [0028], “a stabilized hydroalkoxysilane of the present invention is not subject to loss of purity and chemical changes during storage and transportation, and a pressure rise in a container where the hydroalkoxysilane is stored...” Further, as specified in paragraph [0035], “[i]n order to prevent vaporization of the hydroalkoxysilane and contact with moisture of air, it is recommended to store the stabilized hydroalkoxysilane in a sealed container.” Thus, the Applicants respectfully submit that claim 14, as well as claims 15-17 and 25-28 that depend from claim 14, are now in condition for allowance. Such allowance is respectfully requested.

In view of the remarks set forth above, the Applicants respectfully submit that the claims are in condition for allowance and respectfully request such allowance. The appropriate fee for seven additional dependent claims is included herewith. If any additional fees are necessary to respond to the outstanding Office Action, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 08-2789, in the name of Howard & Howard, or credit the account for any overpayment.

Respectfully submitted,

HOWARD & HOWARD ATTORNEYS

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Date

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